

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
DAVID STARK,

Plaintiff,

— against —

DETROIT DIESEL CORP. ET AL.,

Defendants.  
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ORDER

12-CV-00803(JFB)(ARL)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ DEC 19 2012 ★

LONG ISLAND OFFICE

JOSEPH F. BIANCO, District Judge:

For the reasons set forth in detail on the record on November 26, 2012, the Court grants plaintiff's motion to file the second amended complaint. For the reasons set forth in detail on the record on December 19, 2012, the Court denies in its entirety the motion to dismiss the second amended complaint. The Court requests that Judge Lindsay set a discovery schedule for the parties.

SO ORDERED.

  
JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE

Dated: December 19, 2012  
Central Islip, NY